

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 8/09/2021**

The meeting was called to order at 7:00 p.m. by Mayor Krueger in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance.

Councilmembers Present: Fountain, Florence, Gilbert, Krueger, Pinkston, Henry.

Councilmembers Absent: Hicks.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger, City Attorney Chris Stritmatter.

Others Present: Steve Long.

Others Virtually Attended: Lania Rocha, Bob Plumb, Kolby Miller, Deanna Korth.

EXCUSE MAYOR PRO TEM HICKS

Resolution No. 210809-01

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Florence

I Move the Swartz Creek City Council excuse Mayor Pro Tem Hicks.

YES: Unanimous Voice Vote.
NO: None. Motion declared carried.

APPROVAL OF MINUTES

Resolution No. 210809-02

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday July 26, 2021 to be circulated and placed on file.

YES Gilbert, Krueger, Pinkston, Henry, Fountain, Florence.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 210809-03

(Carried)

Motion by Councilmember Henry
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Agenda as, presented for the Regular Council Meeting of August 9, 2021, to be circulated and placed on file.

YES: Krueger, Pinkston, Henry, Fountain, Florence, Gilbert.
NO: None. Motion Declared Carried.

CITY MANAGER'S REPORT

Resolution No. 210809-04

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of August 9, 2021, including reports and communications to be circulated and placed on file.

Discussion Ensued.

YES: Krueger, Pinkston, Henry, Fountain, Florence, Gilbert.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Steve Long 5356 Worchester Drive, noticed his water was brown today so he ran cold water till it ran clear. If there is a need for a boil advisory will there be a notice. Mr. Zettel responded he doesn't foresee any boil water advisory- but if it was needed a notice would be publicized. Mr. Long also noticed an ice cream truck in the village. Mr. Zettel replied that the city hasn't issued any solicitation permits out for that so the next time it's in the area to call Metro PD.

COUNCIL BUSINESS:

MEDSTAR AMBULANCE PROPOSAL

PRESENTATION

Kolby Miller, Chief Executive officer for MedStar introduced himself and gave a brief history of MedStar. The EMS system in Genesee County has long existed different from any other county in the state and country. They use the closest ambulance theory. The backbone of the system is very fragmented. They system quite frequently runs out of ambulances. MedStar has proposed to communities interested provider based community service agreements. These are based on response time performance,

external patient satisfaction, incident reporting and follow up with local officials and the commitment to both be engaged in the local community and develop the workforce. Under the agreements we are proposing the communities would identify MedStar as their ambulance provider. Then MedStar has the responsibility to staff and position ambulances within the community so response times are equalized, safe & effective and reliable.

RESOLUTION TO APPROVE ACQUISITION AND INSTALLATION OF ENTRANCE GATES AT ELMS PARK

Resolution No. 210809-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of major parks and public spaces, and;

WHEREAS, usage of Elms Park, due to the addition of additional active recreation features and the growth of the area, is resulting in an increase of park users at all times of day, including late evening hours, and;

WHEREAS, increased usage, especially after the departure of reservation parties, is resulting in unkempt areas and unwanted activities, and;

WHEREAS, Elms Park is found to function as a regional park and is therefore in need of large scale measures to control usage times.

NOW, THEREFORE BE IT RESOLVED, the Swartz Creek City Council approves the installation of gates at both entrances to Elms Park and directs the City Manager or his designee to acquire, under the city's purchasing ordinance, and install said gates.

BE IT FURTHER RESOLVED, the Swartz Creek City Council approves a budget adjustment for Elms Park Department of the General Fund in the amount of \$5,000 as directed by the City Treasurer.

Discussion Ensued.

YES: Pinkston, Henry, Fountain, Florence, Gilbert, Krueger.
NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE AN ORDINANCE, ORDINANCE 453 TO AMEND ARTICLE III, BY ADDING SECTION 11-48 OF THE ORDINANCE, PENALTIES

Resolution No. 210809-06

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Henry

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of major parks and public spaces, and;

WHEREAS, the city council, with the advice of the Park Board, promulgates and approves rules to govern the use of such parks, and;

WHEREAS, the city desires to create a clear method of enforcement for such park rules and regulations.

NOW, THEREFORE, THE CITY OF SWARTZ CREEK ORDAINS.

**CITY OF SWARTZ CREEK
ORDINANCE NO. 453**

An ordinance to amend Article III of Chapter 11 of the Code of Ordinances by adding thereto a new Section 11-48.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Article III of Chapter 11 of the Code of Ordinances of the City of Swartz Creek.

The City Council hereby amends Article III of Chapter 11 of the Code of Ordinances by adding thereto a new Section 11-48 to read as follows:

Sec. 11-48. Penalties.

Any person in violation of the park rules and regulations adopted by the city council, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of \$100 for the first offense, \$250 for the second offense, and \$500.00 for additional offenses or by imprisonment for not more than 90 days or by both fines and imprisonment at the discretion of the court.

Section 2. Effective Date.

This Ordinance shall take effect 20 days following publication.

At a regular meeting of the City Council of Swartz Creek held on the 9th day of August, 2021, Pinkston moved for adoption of the foregoing ordinance and Henry supported the motion.

YES: Henry, Fountain, Florence, Gilbert, Krueger, Pinkston.
NO: None. Motion Declared Carried.

The Mayor declared the ordinance adopted.

David Krueger
Mayor

Connie Olger
Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. 453 which was enacted by the Swartz Creek City Council at a regular meeting held on the 9th day of August, 2021.

Connie Olger
City Clerk

Discussion Ensued.

YES: Henry, Fountain, Florence, Gilbert, Krueger, Pinkston.
NO: None. Motion Declared Carried.

COMMISSION APPOINTMENTS

Resolution No. 210809-07

(Carried)

Motion by Councilmember Florence
Second by Councilmember Fountain

WHEREAS, the laws of the State of Michigan, the Charter and Ordinances of the City of Swartz Creek, interlocal agreements in which the City of Swartz Creek is a member, and previous resolutions of the city council require and set terms of offices for various appointments to city boards and commissions, as well as appointments to non-city boards and commissions seeking representation by city officials; and

WHEREAS, there exist vacancies for various positions; and

WHEREAS, said appointments are Mayoral appointments subject to affirmation of the city council.

recreational benefit and by providing access to non-motorized travel between schools, neighborhoods, and other key destinations, and

WHEREAS, MDOT standards for construction require a substantial and ridged footprint to accommodate the 10 foot wide path and accompanying shoulders, and

WHEREAS, some sections of the path lack the proper right-of-way to accommodate the path, and

WHEREAS, some permanent easements may not be acquired through donation or good faith offers acquisition.

THEREFORE, BE IT RESOLVED that the City of Swartz Creek finds that the Safe Routes to School path is a public necessity and the permanent easements needed to construct and maintain the path are likewise a public necessity.

BE IT FURTHER RESOLVED that the Swartz Creek City Council authorizes the city attorney and staff to engage in condemnation proceedings for such easements as may be needed to complete the SRTS project, if any.

Discussion Ensued.

YES: Florence, Gilbert, Krueger, Pinkston, Henry, Fountain.

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Florence the construction on the south side of Miller Road in front of United Methodist Church looks good but the north side is concerning. Mr. Zettel replied that the area won't be able to be finished until its pressure tested.

Councilmember Henry commented that he has been passed many times by drivers on Miller Road in the middle lane.

Councilmember Fountain Slip & Slide is Saturday, August 14, 2021 12-4p.m. at Elms Park. Donation requests are \$5 per person & \$10 per family, with the donations going to the Fire Dept.

Councilmember Gilbert has experienced drivers passing in the center lane. He also commented on the Miller Road construction.

Councilmember Pinkston commented Kolby Miller, MedStar, he graduated with his son. Kolby's father was a DJ and he worked as one back in the 80's.

Mayor Krueger is happy no more tornados in Swartz Creek.

ADJOURNMENT

Resolution No. 210809-09

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

I Move the Swartz Creek City Council adjourn the regular meeting at 8:29 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk